

**MINUTES OF THE
BUDGET WORKSHOP,
BUDGET HEARING AND
REGULAR MEETING
OF THE OAK LEAF CITY COUNCIL
HELD ON SEPTEMBER 12, 2017 AT 7:00 P.M.
AT OAK LEAF CITY HALL
301 LOCUST DRIVE**

I. CALL TO ORDER & ROLL CALL:

Council Members Present:

Mayor Bob Rader

Councilman Christy Godwin

Councilman Susanne Ellis

Mayor Pro Tem James Pierce

Councilman Joyce Liptak

Councilman Jimmie Lamb

City Staff Present:

City Secretary Ronda Quintana

MAYOR RADER CALLED THE MEETING TO ORDER AT 7:00 P.M. AND ANNOUNCED A QUORUM PRESENT.

A. Invocation:

Mayor Rader gave the Invocation.

B. Pledge of Allegiance:

It was followed by the declaration of the Pledge of Allegiance by the City Council and the audience members.

NOTE: SOME OF THE AGENDA TOPICS AND ITEMS WERE DISCUSSED OUT OF ORDER.

II. AUDIENCE PARTICIPATION:

Patricia Thibodeau and Elizabeth Reed, representatives of the Old Chisholm Trail Chapter of the National Society Daughters of the American Revolution (DAR), and Ms. Katie Reed were present in the audience but did not register to speak during the Audience Participation portion of the meeting.

III. PROCLAMATION:

Mayor Rader recited the Constitution Week proclamation and presented it to Elizabeth Reed and Patricia Thibodeau. In turn, they presented Mayor Rader with a Certificate of Award in recognition of outstanding work in upholding and promoting the ideals of the Constitution of the United States.

IV. CONVENE INTO 2017-2018 BUDGET WORKSHOP:

The 2017-2018 Budget Workshop convened at 7:04 p.m. The following budget items were discussed:

- Item # 51060 – Attorney Fees
- Item # 51240 – Publishing
- Item # 51260 – Solid Waste

V. ADJOURN FROM BUDGET WORKSHOP AND CONVENE INTO PUBLIC HEARING REGARDING THE 2017-2018 BUDGET:

Council then adjourned the Budget Workshop and opened the Public Hearing Regarding the 2017-2018 Budget at 7:10 p.m. However, no comments were made by the members of the audience during the Public Hearing.

VI. ADJOURN FROM THE PUBLIC HEARING AND CONVENE INTO REGULAR MEETING:

The Public Hearing was adjourned and the Regular Meeting convened at 7:08 p.m.

VII. REGULAR AGENDA ITEMS:

B. Action to Ratify the Property Tax Increase Reflected in the Budget

Mayor Pro Tem Pierce moved to ratify the 2017-2018 Fiscal Budget and the proposed maintenance and operations tax rate of \$0.340645/\$100.00. Councilman Ellis seconded the motion. No further comments were made by the City Council, so Mayor Rader called for a vote.

Councilman Lamb – Aye
Councilman Ellis – Aye
Mayor Pro Tem Pierce – Aye
Councilman Liptak – Aye
Councilman Godwin – Aye
Nays: None
The motion passed.

C. Approval of Ordinance 1711 – an Ordinance to Adopt the 2017-2018 Fiscal Year Budget (by Record Vote)

Councilman Liptak then moved to adopt Ordinance 1711 formally adopting the 2017-2018 Fiscal Year Budget and Councilman Ellis seconded the vote. There was no further discussion of the item, so Mayor Rader called for a vote.

Councilman Lamb – Aye
Councilman Ellis – Aye
Mayor Pro Tem Pierce – Aye
Councilman Liptak – Aye
Councilman Godwin – Aye
Nays: None
The motion passed.

D. Approval of Ordinance 1712 – an Ordinance Setting the Property Tax Rate for the 2017-2018 Fiscal Year

Mayor Rader indicated the 2017 effective maintenance and operations tax rate of \$0.340645/\$100.00 would generate the same amount of taxes as the previous year. Councilman Ellis inquired about the increase of approximately \$9,000.00 and was informed that the increase was due to additional property being added to the tax roll.

Councilman Lamb moved to approve Ordinance 1712 and Councilman Ellis seconded the motion. Council made no additional comments, so Mayor Rader called for a vote.

Ayes: All
Nays: None
The motion passed.

VIII. OLD BUSINESS:

A. Discussion and Possible Action Regarding Franklin Legal Publishing Professional Services Agreement

Mayor Rader gave a brief summarization of the events concerning the proposed Services Agreement from Franklin Legal Publishing to recodify the City Code. City Council discussed their options. Then, Mayor Rader indicated he had spoken with the city attorney about the issue and was informed that City Staff could make the code changes in-house and post them on the city's website. He also mentioned that the cost to have Franklin Legal make the code amendments is substantial. Councilman Liptak stated that a third objective party was desirable to catch errors and inconsistencies and ensure code uniformity and legality. Councilman Lamb agreed and indicated that the city would not always have the legal expertise of Mayor Rader. He also stated that the city may need more legal assistance in the future (as evidenced by recent legal issues). Council then discussed completing revisions to the rest of Code before recodifying and publishing the entire code. After that, the Council conferred about how the previous code changes would affect the future subdivision on Locust Drive, and Mayor Rader responded that the subdivision would be subject to City Code in effect at the time the Final Plat was approved. Next, City Council deliberated about how long it would take to get the code changes on-line and published. Discussion of the item was then postponed until the next Council Meeting.

B. Discussion and Possible Action Regarding Procedures for City Code Enforcement

Mayor Rader summarized the previous meeting's discussion regarding enforcement of the code. He then indicated he had reviewed Texas Municipal League resources, checked state statutes and consulted the city attorney about enforcement of the Code by City Staff. Mayor Rader stated a specific ordinance would be necessary to establish the authority and guidelines for the designated person(s) to use in enforcing the code and that the city attorney had agreed to draft such an ordinance if the Council decides to go forward. After that, Council deliberated over the use of personal or city-owned vehicles, frequency of patrols, insurance requirements, the need for a law enforcement officer and costs associated with code and law enforcement.

Councilman Lamb made mention of a business-related experience involving a security-to-law-enforcement transition and informed Council of the doubled rate for liability insurance and employee dismissal issues. Councilman Liptak and Councilman Ellis commented in favor of code enforcement. Mayor Rader also remarked that code enforcement by City Staff could be an effective and affordable approach to getting things cleaned up. Councilman Lamb consented to the suggestion and mentioned code violations in the area.

City Secretary Quintana inquired about training for the position and was informed it would not be necessary, since the designated individual(s) would be a code enforcement representative of Council and would only observe, record and report the code violations. Councilman Lamb also informed her that the code enforcement representative would not have the same authority or responsibility as a code enforcement officer. Council then gave examples of how such an enforcement procedure might work.

Councilman Lamb moved to proceed with the creation of a code enforcement ordinance. Councilman Godwin seconded the motion. There were no additional comments from the council members, so Mayor Rader called for a vote.

Ayes: All
Nays: None
The motion passed.

IX. REGULAR AGENDA ITEMS (CONTINUED):

G. Discussion and Possible Approval of a Resolution to Submit Names for the Ellis Appraisal District 2018-2019 Board of Directors

The item was discussed briefly and Councilman Lamb moved to nominate Councilman Ellis and approve the resolution. Mayor Pro Tem Pierce seconded the motion. The Council made no other remarks, so Mayor Rader called for a vote.

Ayes: All
Nays: None
The motion passed.

H. Consideration of Proposed Language to Revise Section 3.400.003 – Fences

Mayor Rader commented regarding current fencing code and the proposed language to amend Section 3.400.003. Councilman Godwin distributed additional language taken from a Home Owner's Association (HOA) document for the Council to consider on this issue.. Mayor Rader advised caution when using HOA wording and stated that the city must not restrict the rights of citizens or create de facto zoning. Councilman Ellis reminded the council members about the permit fees and the deterrence of repeat permits. Discussion of the item was then postponed until the next Council Meeting.

I. Consideration of Proposed Language to Revise Article 3.200 – Building Permits, Section 3.200.001 Time Limits

City Council reviewed the proposed language and agreed to proceed with the creation of an ordinance to amend Article 3.200, Section 3.200.001.

A. Discussion and Approval of the August 8, 2017 Regular Meeting / Budget Workshop Minutes

The August 8, 2017 Regular Meeting / Budget Workshop Minutes were reviewed by the City Council, and Councilman Liptak moved to approve them as presented. Councilman Lamb seconded the motion. There was no further discussion of the item, so Mayor Rader called for a vote.

Ayes: Mayor Pro Tem Pierce, Councilman Liptak and Councilman Lamb

Nays: None

Abstains: Councilman Ellis

The motion passed.

J. Annual Review of the City Master Plan

There was a short discussion to update the data in City Master Plan, and Councilman Liptak commented on City Council reviewing it annually. Then Mayor Rader explained how the Master Plan has been de facto reviewed in the process of revising the City Code, the construction of the new pavilion and other actions by the Council.

E. Approval of a Quote for Roadwork on Pecan Lane in the amount of \$9,700.00 and Horseshoe Trail in the Amount of \$7,500.00

The quotes for roadwork on Pecan Lane and Horseshoe Trail were reviewed by Council and Mayor Pro Tem Pierce moved to approve them. Councilman Liptak seconded the motion. There was no further discussion of the item, so Mayor Rader called for a vote.

Ayes: All

Nays: None

The motion passed.

As a road related issue, Council discussed next year's road projects, which included a hold-over project in the Southaven Estates Subdivision. Mayor Pro Tem Pierce indicated he would not approve funding for work on S. Hampton Road, Locust Drive or any road that would sustain damage from cut-through traffic as a result of the Ovilla Road (Hwy 664) Project or from heavy equipment brought in for the development of the new Locust Drive subdivision. Councilman Lamb suggested using a heavy duty road surface material or setting up an aggressive potholing program for those roads. City Council decided to only make pothole repairs to S. Hampton Road and Locust Drive., and E. Highland Road, Cedar Drive, Forest Brook Drive, Meadowbrook Drive and Woodhaven Court will be resurfaced.

Mayor Pro Tem Pierce then indicated that the biggest threat to the roads was encroaching vegetation. Councilman Liptak inquired about spraying weed killer to maintain the streets and was informed there had been no recent purchase of it, because some of the citizens complained

about the city killing their grass. Mayor Pro Tem Pierce commented about widening Locust Drive when the remaining section was repaved. He also proposed installing a sidewalk on the south side of Locust Drive to increase safety for walkers and as a means of access to the city park.

Council then discussed other streets that could be resurfaced. Councilman Liptak commented about the failing road base of Locust Drive (going down the hill) and borrowing a traffic counter from Ellis County to measure the quantity of traffic and their speed.

F. Approval of an Interlocal Agreement for Participation in Fort Worth's Environmental Collection Center Household Hazardous Waste Program

Mayor Pro Tem Pierce moved to approve the Interlocal Agreement with Fort Worth's Environmental Collection Center, and Councilman Ellis seconded the motion. There were no additional comments made by Council, so Mayor Rader called for a vote.

Ayes: All
Nays: None
The motion passed.

X. REPORTS:

A. Land and Building:

• Update on City Pavilion

City Secretary Quintana stated that the stonework on the pavilion was completed, and four seventy-two inch picnic tables had been ordered. Councilman Liptak informed Council that ninety-six inch tables would be more appropriate. Council discussed the two table sizes, and Councilman Liptak also indicated that additional dirt work and clean-up was needed around the pavilion. Mayor Pro Tem Pierce commented approvingly in regards to the stonework and inquired about the electrical work. He was informed that it was finished, as well.

XI. RECESS OF REGULAR MEETING:

Mayor Rader called a recess of the Regular Meeting at 8:34 p.m., so Council could visit the pavilion site.

XII. RECOVENE INTO REGULAR MEETING:

The Regular Meeting reconvened at 8:44 p.m.

• Update on City Pavilion(continued)

Council was in agreement to keep the four seventy-two inch picnic tables and have City Secretary Quintana research the additional purchase of four ninety-six inch tables.

B. Legal:

- 1929 Willow Bend Drive for Junk Vehicle Violations
City Secretary Quintana indicated that the property owner has two junk vehicles in her driveway and has been summoned to court on September 21st.

C. Public Works:

City Secretary Quintana informed City Council that work on Red Bud Court had been completed.

D. Deficient Properties in the City:

1. 101 Forest Brook Drive

City Secretary Quintana stated that the sale of 101 Forest Brook Drive would happen soon.

2. 112 Hackberry Street

City Secretary Quintana mentioned 112 Hackberry had been sold to Carrington Mortgage Services and that it had been mowed recently.

XIII. COMMUNITY INTEREST ANNOUNCEMENTS BY MAYOR, CITY COUNCIL AND CITY SECRETARY:

A. National Night Out Event on October 3, 2017

City Secretary Quintana reminded the council members of the October 3rd National Night Out Event.

B. 507 Little Creek Trail

Mayor Rader indicated 507 Little Creek Trail had been recently mowed, but there has been no communications from FEMA regarding the property transfer. He also stated he had spoken with Commissioner Butler about the county leasing the lot to the property owners at 511 Little Creek Trail while waiting for a response from FEMA.

C. Law Enforcement at Westmoreland/Lariat Circle Intersection

Mayor Rader mentioned that he has spoken with Sheriff Edge about contracting with the county for additional law enforcement in Oak Leaf. The sheriff stated he cannot do so because he has a limited number of deputies, which must patrol the entire county. However, the Sheriff Edge is willing to could arrange for his deputies to come by from time-to-time to stake-out problem areas.

D. Possible Closure of Lark Lane Turn Lane

Councilman Lamb stated that he had been contacted by a developer about a proposed strip shopping mall at the corner of S. Hampton and Ovilla Road (in Glenn Heights) and the installation of an access road off of Lark Lane. The developer had also mentioned that if Oak Leaf was interested in supporting this development, a letter would need to be sent to the State

of Texas requesting the closure of the left turn lane into Lark Lane (when Ovilla Road is widened), so the turn-in at the S. Hampton Road light would line up appropriately with their access road. The Council's response to such a proposal was negative.

XIV. ADJOURNMENT:

Councilman Liptak moved to adjourn at 9:06 p.m. and Councilman Ellis seconded the motion. Mayor Rader called for a vote.

Ayes: All
Nays: None
The motion passed.

APPROVED THIS 10TH DAY OF OCTOBER, 2017

Bob Rader

Bob Rader, Mayor

ATTEST: Ronda Quintana
Ronda Quintana, City Secretary

